

**IN THE UNITED STATES DISTRICT
COURT FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ePLUS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:09-cv-620
)	
LAWSON SOFTWARE, INC.,)	
)	
Defendant.)	

DEFENDANT LAWSON SOFTWARE, INC.'S
NOTICE OF APPEAL

Pursuant to Fed. R. App. P. 3 and 28 U.S.C. § 1291, notice is hereby given that Defendant Lawson Software, Inc. (“Lawson”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment, dated May 25, 2011 (Docket No. 736). Pursuant to Fed. R. App. P. 4(a)(4)(A), this appeal is timely as it is being filed within 30 days of the disposition of post-trial motions under Fed. R. Civ. P. 50(b) and 59 (Docket Nos. 785, 788). Appellate jurisdiction arises under 28 U.S.C. § 1295(a)(1).

Lawson’s appeal includes all decisions and rulings that underlie or are intertwined with the final judgment, including but not limited to:

1. The district court’s JUDGMENT (Docket No. 736);
2. The jury’s verdict that the asserted patents were not proven invalid and have been infringed by Lawson (Docket No. 600);
3. The district court’s rulings during the jury trial;
4. The district court’s rulings on Plaintiff’s and Defendant’s motions in limine (including Docket Nos. 362, 365, 372, 373, 375, and 382);

5. The district court's denial of Defendant's motions for summary judgment (including Docket Nos. 356, 357, and 395);

6. The district court's Memorandum Opinion and Order interpreting the claims of the asserted patents (Docket Nos. 204 and 205);

7. The district court's Memorandum Opinions and Orders excluding prior art evidence from trial (including Docket Nos. 435, 436, and 516);

8. The district court's ORDER DENYING Defendant's Motion for Judgment as a Matter of Law On Section 101 Invalidity (Docket No. 782);

9. The district court's ORDER DENYING as MOOT Defendant's Emergency Motion to Strike the Rule 26 Expert Disclosure and Declaration of Larry W. Evans in Support of Plaintiff's Motion for Permanent Injunction and Plaintiff's Motion to Strike Attorney Declaration of Robert A. Kalinsky, Esq. and Other Evidence or Argument Relating to Non-Final Reexaminations of the Patents-In-Suit in view of the Court's Order dated 05/23/2011 and the Memorandum Opinion dated 05/23/2011 (Docket No. 784);

10. The district court's ORDER denying as moot in view of the jury's verdict Defendant Lawson Software, Inc.'s Motion to Preclude ePlus from Offering Arguments on Validity that were Not Disclosed in its Discovery Responses (Docket No. 786);

11. The district court's Memorandum Opinion and Order denying Defendant Lawson Software, Inc.'s Renewed Motion for Judgment as a Matter of Law and Defendant Lawson Software Inc.'s Renewed Motion for New Trial (Docket Nos. 787 and 788).

With the filing of the notice of appeal is a check for \$455, representing the \$450 fee for docketing a case on appeal specified in 28 U.S.C. § 1913 and the \$5 fee for filing a notice of appeal specified in 28 U.S.C. § 1917.

LAWSON SOFTWARE, INC.

By: /s/
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CERTIFICATE OF SERVICE

I certify that on this 24th day of August, 2011, a true copy of the foregoing will be filed electronically with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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